

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON' BLE MS.JUSTICE J. UMA DEVI

WRIT PETITION No.10307 OF 2018

Between:

Shaik Zikriya S/o.Shaik Allabuksh,
Aged about 42 years, Occ: Busienss and another

...Petitioners

Vs.

The Tata Capital Financial Services Limited,
Plot Nos.3, 4, 5 & 6, Road No.3, Auto Plaza,
Opp: Times of India, Banjara Hills, Hyderabad,
Rep. by its Authorized Officer.

... Respondent

For Petitioners : Sri N.V.R. Amarnath

For Respondent : None

Gist :

Head Note :

Cases Referred : Nil



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN
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THE HON' BLE MS.JUSTICE J. UMA DEVI

WRIT PETITION No.10307 OF 2018

ORDER: (per V. Ramasubramanian, J)

The petitioner has come up with the above writ petition challenging an order passed by the Debts Recovery Tribunal granting them time to clear the entire loan amount on or before 31.03.2018.

2. Heard Mr.N.V.R.Amarnath, learned counsel for the petitioners.

3. A perusal of the impugned order shows that the same was passed on the basis of an affidavit of undertaking filed by the petitioners before the Tribunal. Once the Tribunal has passed an order on the basis of a sworn statement made before them, it is not appropriate for this Court to sit in a judgment over the order of the Tribunal. If at all the petitioners had any difficulty in complying with their own affidavit of undertaking, the appropriate course of action to have been taken by the petitioners is to go back to the Tribunal and not to challenge the order of the Tribunal.

4. Hence, the Writ Petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

April 02, 2018
KTL